



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address : COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
06/338,382	01/11/82	LIN Y	0225

R. J. KLOSTERMANN
MALLINCKRODT, INC.
P. O. BOX 5840
ST. LOUIS, MO 63134

EXAMINER	
HELFIN, B	
ART UNIT	PAPER NUMBER
126	3

DATE MAILED: 07/14/82

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined. ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892 | 2. <input type="checkbox"/> Notice of Informal Patent Drawing, PTO-948 |
| 3. <input type="checkbox"/> Notice of References Cited by Applicant, PTO-1449 | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-3 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-3 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ The formal drawings filed on _____ are acceptable.
8. ☐ The drawing correction request filed on _____ has been ☐ approved. ☐ disapproved.
9. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has
☐ been received. ☐ not been received. ☐ been filed in parent application, serial no. _____,
filed on _____.
10. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
11. ☐ Other

Art Unit 126

Claims 1-3 are rejected under 35 U.S.C. 102 as anticipated by or, in the alternative, under 35 U.S.C. 103 as obvious over Speck either alone or in view of Nordal.

Speck generically teaches the claimed compound at pages 2 and 3 of the specification and its use as an X-ray contrast agent. Thus said reference is deemed to fully meet the instantly claimed invention. At a very minimum the claimed compound, composition and method are deemed obvious in view of Speck and particularly when in view of Nordal which teaches closely analogous compounds having the same utility.

Claims 1-3 are rejected under 35 U.S.C. 103 as being unpatentable over Nordal taken in view of Felder et al (I). Although, the invention is not identically disclosed or described as set forth in section 102 of Title 35 U.S.C., the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

It is deemed obvious to combine the teaching of Nordal and Felder et al (I) to derive the claimed compound since both references are directed to the same

Serial No. 338382

-3-

Art Unit 126

utility. In view of said references the claimed compound, composition and method are deemed obvious and the claimed compound has not more than the expected utility.

All the references supplied and discussed are made of record.

BHelfin:srb

A/C 703

557-3029

7/2/82

A handwritten signature in dark ink, appearing to read 'B. Helfin', is positioned above the typed name and title.

BERNARD HELFIN
PRIMARY EXAMINER
ART UNIT 126